

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

In re: CATALAN, ALBERTO § Case No. 17-50138-PMB
CATALAN, CARON HEGARTY §
§
§

Debtor(s)

TRUSTEE'S FINAL REPORT (TFR)

The undersigned trustee hereby makes this Final Report and states as follows:

1. A petition under Chapter 7 of the United States Bankruptcy Code was filed on 01/03/2017. The undersigned trustee was appointed on 01/03/2017.
2. The trustee faithfully and properly fulfilled the duties enumerated in 11 U.S.C. §704.
3. All scheduled and known assets of the estate have been reduced to cash, released to the debtor as exempt property pursuant to 11 U.S.C. § 522, or have been or will be abandoned pursuant to 11 U.S.C. § 554. An individual estate property record and report showing the disposition of all property of the estate is attached as **Exhibit A**.

4. The trustee realized the gross receipts of \$ 443,000.00

Funds were disbursed in the following amounts:

Payments made under an interim distribution	<u>208,011.78</u>
Administrative expenses	<u>17,319.24</u>
Bank service fees	<u>1,201.48</u>
Other payments to creditors	<u>0.00</u>
Non-estate funds paid to 3rd Parties	<u>0.00</u>
Exemptions paid to the debtor	<u>0.00</u>
Other payments to the debtor	<u>0.00</u>
Leaving a balance on hand of ¹	\$ <u>216,467.50</u>

The remaining funds are available for distribution.

¹The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

5. Attached as **Exhibit B** is a cash receipts and disbursements record for each estate bank account.

6. The deadline for filing non-governmental claims in this case was 05/15/2017 and the deadline for filing governmental claims was 07/02/2017. All claims of each class which will receive a distribution have been examined and any objections to the allowance of claims have been resolved. If applicable, a claims analysis, explaining why payment on any claim is not being made, is attached as **Exhibit C**.

7. The Trustee's proposed distribution is attached as **Exhibit D**.

8. Pursuant to 11 U.S.C. § 326(a), the maximum compensation allowable to the trustee is \$25,400.00. To the extent that additional interest is earned before case closing, the maximum compensation may increase.

The trustee has received \$0.00 as interim compensation and now requests the sum of \$25,400.00, for a total compensation of \$25,400.00². In addition, the trustee received reimbursement for reasonable and necessary expenses in the amount of \$0.00 and now requests reimbursement for expenses of \$82.01 for total expenses of \$82.01².

Pursuant to Fed R Bank P 5009, I hereby certify, under penalty of perjury, that the foregoing report is true and correct.

Date: 04/25/2019

By: /s/ S. Gregory Hays
Trustee

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. §1320.4(a)(2) applies.

²If the estate is administratively insolvent, the dollar amounts reflected in this paragraph may be higher than the amounts listed in the Trustee's Proposed Distribution (Exhibit D)

Form 1**Individual Estate Property Record and Report**

Exhibit A

Page: 1

Asset Cases**Case No.:** 17-50138-PMB**Case Name:** CATALAN, ALBERTO
CATALAN, CARON HEGARTY**Trustee Name:** (300320) S. Gregory Hays**Date Filed (f) or Converted (c):** 01/03/2017 (f)**§ 341(a) Meeting Date:** 01/31/2017**For Period Ending:** 04/25/2019**Claims Bar Date:** 05/15/2017

1 Asset Description (Scheduled And Unscheduled (u) Property) Ref. #	2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=§554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1 3000 Ashbury Court, Woodstock, GA 30189 Per the Consent Order entered in adversary # 17-5296-pmb [Dkt #15], the security interest of the first mortgage is avoided in the property. Trustee sold the equity (after consideration of exemptions and cost to sell) in the Property to the Debtors per Order (Dkt # 53).	182,000.00	0.00		173,000.00	FA
2 2368 Bynum Road, Atlanta, GA 30319-0000 Property sold per Order, Docket # 36.	250,000.00	52,715.00		270,000.00	FA
3 1999 Dodge Durango, 250,000 miles. Notice of Abandonment filed on 2/10/17, docket # 23.	184.00	0.00	OA	0.00	FA
4 1998 Ford Taurus, 150000 miles, This car was purchased by and used by their son. However, it is still titled in debtor's name.. Notice of Abandonment filed on 2/10/17, docket # 23.	291.00	0.00	OA	0.00	FA
5 2014 Dodge Caravan, 75000 miles. Notice of Abandonment filed on 2/10/17, docket # 23.	9,514.00	0.00	OA	0.00	FA
6 sofas; table & chairs; six beds; 3 tv's; 1 xbox; 1 laptop	2,885.00	0.00		0.00	FA
7 Books and CDs	100.00	0.00		0.00	FA
8 Man's and woman's clothing	610.00	0.00		0.00	FA
9 wedding/engagement rings; costume jewelry	350.00	0.00		0.00	FA
10 Cash	40.00	0.00		0.00	FA
11 Renesant Checking Account	176.44	0.00		0.00	FA
12 Renesant Checking Account	0.00	0.00		0.00	FA
13 Interest in an education IRA under 26 USC 530(b)(1) held for the benefit of their children.	4,000.00	4,000.00		0.00	FA
14 Income Tax Refund: Federal	2,000.00	0.00		0.00	FA
15 Term life insurance policy with no cash surrender value.	0.00	0.00		0.00	FA
16 Restaurant Equipment: printer; Computer (2012); computer screen; dishes, pots & pans; and 10 high chairs.	515.00	515.00		0.00	FA
17 Four Sewing Machines for sewing business.	300.00	0.00		0.00	FA

Form 1

Individual Estate Property Record and Report
Asset Cases

Exhibit A

Page: 2

Case No.: 17-50138-PMB

Case Name: CATALAN, ALBERTO
CATALAN, CARON HEGARTY

Trustee Name: (300320) S. Gregory Hays

Date Filed (f) or Converted (c): 01/03/2017 (f)

§ 341(a) Meeting Date: 01/31/2017

For Period Ending: 04/25/2019

Claims Bar Date: 05/15/2017

1 Asset Description (Scheduled And Unscheduled (u) Property)		2 Petition/ Unscheduled Values	3 Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	4 Property Formally Abandoned OA=\$554(a) abandon.	5 Sale/Funds Received by the Estate	6 Asset Fully Administered (FA)/ Gross Value of Remaining Assets
Ref. #						
18	The Catalan Group, LLC Each party owns a 1/3 interest in LLC that operated restaurant that closed in June 2016. Third owner, Decorative Design Packaging Ltd.	0.00	0.00		0.00	FA
19	Decorative Design Packaging.	Unknown	0.00		0.00	FA
19	Assets Totals (Excluding unknown values)	\$452,965.44	\$57,230.00		\$443,000.00	\$0.00

Major Activities Affecting Case Closing:

Initial Projected Date Of Final Report (TFR): 06/30/2019

Current Projected Date Of Final Report (TFR): 02/27/2019 (Actual)

04/25/2019

Date

/s/S. Gregory Hays

S. Gregory Hays

Form 2

Exhibit B
Page: 1

Cash Receipts And Disbursements Record

Case No.: 17-50138-PMB
Case Name: CATALAN, ALBERTO
 CATALAN, CARON HEGARTY
Taxpayer ID #: **-***3140
For Period Ending: 04/25/2019

Trustee Name: S. Gregory Hays (300320)
Bank Name: Rabobank, N.A.
Account #: *****7500 Checking
Blanket Bond (per case limit): \$30,203,000.00
Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
03/16/17		Campbell & Brannon (BRS Better Homes, Buyer)	Sale of 2368 Bynum Road Per Order [Doc. No. 36]		44,784.35		44,784.35
	{2}	BRS Better Neighborhoods, Inc	Sale of 2368 Bynum Road Per Order [Doc. No. 36] \$270,000.00	1110-000			44,784.35
		Bank of America	First Mortgage Payoff per order, doc. no. 36 -\$208,011.78	4110-000			44,784.35
		Keller Williams and Owners dot com	Real Estate Commission paid per order, doc. no. 36. -\$16,200.00	3510-000			44,784.35
		Dekalb County	2017 Prorata Real Property Taxes paid per order, doc. n. 36. -\$961.48	2820-000			44,784.35
		Dekalb County Water	Water bill paid per order, doc. no. 36. -\$42.39	2500-000			44,784.35
03/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		30.05	44,754.30
04/28/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		60.07	44,694.23
05/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		70.71	44,623.52
06/30/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		64.18	44,559.34
07/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		61.95	44,497.39
08/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		70.40	44,426.99
09/29/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		61.77	44,365.22
10/31/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		68.06	44,297.16
11/30/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		63.71	44,233.45
12/29/17		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		61.50	44,171.95
01/31/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		69.88	44,102.07
02/28/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		59.20	44,042.87
03/30/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		63.34	43,979.53

Page Subtotals: \$44,784.35 \$804.82

Form 2Exhibit B
Page: 2**Cash Receipts And Disbursements Record**

Case No.: 17-50138-PMB
Case Name: CATALAN, ALBERTO
 CATALAN, CARON HEGARTY
Taxpayer ID #: **-***3140
For Period Ending: 04/25/2019

Trustee Name: S. Gregory Hays (300320)
Bank Name: Rabobank, N.A.
Account #: *****7500 Checking
Blanket Bond (per case limit): \$30,203,000.00
Separate Bond (if applicable): N/A

1	2	3	4		5	6	7
Trans. Date	Check or Ref. #	Paid To / Received From	Description of Transaction	Uniform Tran. Code	Deposit \$	Disbursement \$	Account Balance
04/30/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		61.14	43,918.39
05/31/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		69.49	43,848.90
06/29/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		60.96	43,787.94
07/31/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		67.18	43,720.76
08/31/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		64.98	43,655.78
09/28/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		33.48	43,622.30
10/31/18		Rabobank, N.A.	Bank and Technology Services Fees	2600-000		39.43	43,582.87
12/10/18	{1}	Alberto Catalan and Carol Catalan	Deposit on purchase of property. Per Trustee's Motion for Authority to Sell Property (Dkt #50).	1110-000	5,000.00		48,582.87
01/18/19		Campbell & Brannon IOLTA (Alberto & Caron Catalan, Purchasers)	Sale of 3000 Ashbury Ct, Kennesaw per Order, Dkt # 53. Price includes credit for exemptions.		167,884.63		216,467.50
	{1}	Alberto Catalan and Caron Catalan	Balance of purchase price per Order, Dkt # 53 \$168,000.00	1110-000			216,467.50
		Cherokee County Tax Commissioner	Seller's prorata share of 2019 property taxes paid per Order, Dkt # 53. -\$115.37	2820-000			216,467.50

COLUMN TOTALS	217,668.98	1,201.48	\$216,467.50
Less: Bank Transfers/CDs	0.00	0.00	
Subtotal	217,668.98	1,201.48	
Less: Payments to Debtors		0.00	
NET Receipts / Disbursements	\$217,668.98	\$1,201.48	

Form 2

Exhibit B
Page: 3

Cash Receipts And Disbursements Record

Case No.: 17-50138-PMB
Case Name: CATALAN, ALBERTO
CATALAN, CARON HEGARTY
Taxpayer ID #: **_***3140
For Period Ending: 04/25/2019

Trustee Name: S. Gregory Hays (300320)
Bank Name: Rabobank, N.A.
Account #: *****7500 Checking
Blanket Bond (per case limit): \$30,203,000.00
Separate Bond (if applicable): N/A

Net Receipts:	\$217,668.98
Plus Gross Adjustments:	\$225,331.02
Less Payments to Debtor:	\$0.00
Less Other Noncompensable Items:	\$0.00
Net Estate:	\$443,000.00

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSEMENTS	ACCOUNT BALANCES
*****7500 Checking	\$217,668.98	\$1,201.48	\$216,467.50
	\$217,668.98	\$1,201.48	\$216,467.50

04/25/2019

Date

/s/S. Gregory Hays

S. Gregory Hays

Exhibit C

Analysis of Claims Register

Case: 17-50138-PMB

ALBERTO CATALAN AND CARON HEGARTY

Claims Bar Date: 05/15/17

Claim No.	Claimant Name/ <Category>, Priority	Claim Type/ Date Filed	Claim Ref	Amount Filed/ Allowed	Paid to Date	Claim Balance
8	Cherokee County Tax Commission 2780 Marietta Highway Canton, GA 30114 <4700-000 Real Property Tax Liens (pre-petition)> , 100	Secured 09/21/17		\$0.00 \$0.00	\$0.00	\$0.00
Claim filed as \$2,822.84 secured claim. Claim withdrawn per POC # 8-2 and docket # 57. Taxes have been paid.						
8-2	Cherokee County Tax Commission 2780 Marietta Highway Canton, GA 30114 <4700-000 Real Property Tax Liens (pre-petition)> , 100	Secured 09/21/17		\$0.00 \$0.00	\$0.00	\$0.00
Claim withdrawn as taxes paid by mortgage holder. Claim also withdrawn per Doc. No. 57.						
ADM1	S. Gregory Hays 2964 Peachtree Road NW, Ste. 555 Atlanta, GA 30305 <2100-000 Trustee Compensation> , 200	Administrative 02/04/19		\$25,400.00 \$25,400.00	\$0.00	\$25,400.00
ADM2	S. Gregory Hays 2964 Peachtree Road NW, Ste. 555 Atlanta, GA 30305 <2200-000 Trustee Expenses> , 200	Administrative 02/04/19		\$82.01 \$82.01	\$0.00	\$82.01
ADM3	Arnall Golden Gregory LLP Attn: Michael Bargar 171 17th Street NW Ste 2100 Atlanta, GA 30363-1031 <3210-000 Attorney for Trustee Fees (Other Firm)> , 200	Administrative 02/04/19		\$63,158.00 \$63,158.00	\$0.00	\$63,158.00
ADM4	Arnall Golden Gregory LLP Attn: Michael Bargar 171 17th Street NW Ste 2100 Atlanta, GA 30363-1031 <3220-000 Attorney for Trustee Expenses (Other Firm) > , 200	Administrative 02/04/19		\$1,149.08 \$1,149.08	\$0.00	\$1,149.08

Exhibit C
Analysis of Claims Register

Case: 17-50138-PMB

ALBERTO CATALAN AND CARON HEGARTY

Claims Bar Date: 05/15/17

Claim No.	Claimant Name/ <Category>, Priority	Claim Type/ Date Filed	Claim Ref	Amount Filed/ Allowed	Paid to Date	Claim Balance
ADM5	Clerk, United States Bankruptcy Court 1340 Russell Federal Building 75 Ted Turner Drive, SW Atlanta, GA 30303 <2700-000 Clerk of the Court Fees> , 200 Per docket # 58.	Administrative 02/07/19		\$350.00 \$350.00	\$0.00	\$350.00
2	IRS P.O. Box 7317 Philadelphia, PA 19101-7317 <5800-000 Claims of Governmental Units - § 507(a)(8)> , 570 Filed for \$1,079.80 priority. Amended/replaced by POC # 2-2.	Priority 03/01/17		\$0.00 \$0.00	\$0.00	\$0.00
1	CHEROKEE CO FIRE EMG SVC C/O LIFELINE BILLING N2930 STATE RD 22 WAUTOMA, WI 54982 <7100-000 Section 726(a)(2) General Unsecured Claims> , 610	Unsecured 02/23/17		\$342.57 \$342.57	\$0.00	\$342.57
2-2	IRS P.O. Box 7346 Philadelphia, PA 19101-7346 <7100-000 Section 726(a)(2) General Unsecured Claims> , 610 Amends/replaces POC # 2-1. \$0.00 owed.	Unsecured 03/01/17		\$0.00 \$0.00	\$0.00	\$0.00
3	American Express Bank, FSB c/o Becket and Lee LLP PO Box 3001 Malvern, PA 19355-0701 <7100-000 Section 726(a)(2) General Unsecured Claims> , 610	Unsecured 04/14/17		\$35,469.23 \$35,469.23	\$0.00	\$35,469.23
4	American Express Bank, FSB c/o Becket and Lee LLP PO Box 3001 Malvern, PA 19355-0701 <7100-000 Section 726(a)(2) General Unsecured Claims> , 610	Unsecured 04/17/17		\$2,204.72 \$2,204.72	\$0.00	\$2,204.72

Exhibit C

Analysis of Claims Register

Case: 17-50138-PMB

ALBERTO CATALAN AND CARON HEGARTY

Claims Bar Date: 05/15/17

Claim No.	Claimant Name/ <Category>, Priority	Claim Type/ Date Filed	Claim Ref	Amount Filed/ Allowed	Paid to Date	Claim Balance
5	TD Retail Card Services c/o Creditors Bankruptcy Serv P.O. Box 800849 Dallas, TX 75380 <7100-000 Section 726(a)(2) General Unsecured Claims> , 610	Unsecured 04/25/17		\$720.36 \$720.36	\$0.00	\$720.36
6	Decorative Design Packaging Limited c/o Peter Hegarty Embach Lodge, Crossatehin Virginia, Co. Cavan Ireland, <7100-000 Section 726(a)(2) General Unsecured Claims> , 610	Unsecured 05/03/17		\$600,000.00 \$600,000.00	\$0.00	\$600,000.00
7	Synchrony Bank c/o PRA Receivables Management, LLC PO Box 41021 Norfolk, VA 23541 <7100-000 Section 726(a)(2) General Unsecured Claims> , 610	Unsecured 05/09/17		\$2,506.07 \$2,506.07	\$0.00	\$2,506.07
9	Wells Fargo Bank, N.A. Christopher M. Porterfield Diment Porterfield LLP 412 Adamson Square Carrollton, GA 30117 <7100-000 Section 726(a)(2) General Unsecured Claims> , 610	Unsecured 09/11/18		\$141,868.34 \$141,868.34	\$0.00	\$141,868.34

Secured interest in real property resolved in adversary # 17-5296. See docket # 15 and 16 of adversary.

Case Total: \$0.00 \$873,250.38

TRUSTEE'S PROPOSED DISTRIBUTION

Exhibit D

Case No.: 17-50138-PMB

Case Name: ALBERTO CATALAN AND CARON HEGARTY CATALAN

Trustee Name: S. Gregory Hays

Balance on hand: \$ 216,467.50

Claims of secured creditors will be paid as follows:

Claim No.	Claimant	Claim Asserted	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
8	Cherokee County Tax Commission	0.00	0.00	0.00	0.00
8-2	Cherokee County Tax Commission	0.00	0.00	0.00	0.00

Total to be paid to secured creditors: \$ 0.00

Remaining balance: \$ 216,467.50

Applications for chapter 7 fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments to Date	Proposed Payment
Trustee, Fees - S. Gregory Hays	25,400.00	0.00	25,400.00
Charges, U.S. Bankruptcy Court	350.00	0.00	350.00
Trustee, Expenses - S. Gregory Hays	82.01	0.00	82.01
Attorney for Trustee Fees (Other Firm) - Arnall Golden Gregory LLP	63,158.00	0.00	63,158.00
Attorney for Trustee Expenses (Other Firm) - Arnall Golden Gregory LLP	1,149.08	0.00	1,149.08

Total to be paid for chapter 7 administrative expenses: \$ 90,139.09

Remaining balance: \$ 126,328.41

Applications for prior chapter fees and administrative expenses have been filed as follows:

Reason/Applicant	Total Requested	Interim Payments	Proposed Payment
None			

Total to be paid for prior chapter administrative expenses: \$ 0.00

Remaining balance: \$ 126,328.41

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
2	IRS	0.00	0.00	0.00
Total to be paid for priority claims:				\$ 0.00
Remaining balance:				\$ 126,328.41

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities). Timely claims of general (unsecured) creditors totaling \$783,111.29 have been allowed and will be paid pro rata only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 16.1 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
1	CHEROKEE CO FIRE EMG SVC	342.57	0.00	55.26
2-2	IRS	0.00	0.00	0.00
3	American Express Bank, FSB	35,469.23	0.00	5,721.76
4	American Express Bank, FSB	2,204.72	0.00	355.66
5	TD Retail Card Services	720.36	0.00	116.21
6	Decorative Design Packaging Limited	600,000.00	0.00	96,789.62
7	Synchrony Bank	2,506.07	0.00	404.27
9	Wells Fargo Bank, N.A.	141,868.34	0.00	22,885.63
Total to be paid for timely general unsecured claims:				\$ 126,328.41
Remaining balance:				\$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				
Total to be paid for tardily filed general unsecured claims:				\$ 0.00
Remaining balance:				\$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$0.00 have been allowed and will be paid pro rata only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

Claim No.	Claimant	Allowed Amount of Claim	Interim Payments to Date	Proposed Payment
None				

Total to be paid for subordinated claims: \$ 0.00

Remaining balance: \$ 0.00